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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DEVIS LEONEL RIVERA MARADIAGA,  
a/k/a "Leonel Martinez Rivera,"  
a/k/a "Don Leo Cachiro,"

Defendant.

SEALED INDICTMENT

13 Cr.

13 CRIM 413

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2009 up to and including 2012, in Honduras and elsewhere, DEVIS LEONEL RIVERA MARADIAGA, a/k/a "Leonel Martinez Rivera," a/k/a "Don Leo Cachiro," the defendant, who will be arrested and first brought to the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that DEVIS LEONEL RIVERA MARADIAGA, a/k/a "Leonel Martinez Rivera," a/k/a "Don Leo Cachiro," the defendant, and others known and unknown, would and did possess with the intent to distribute a controlled substance, to wit, five kilograms and more of a mixture and substance containing a detectable amount of cocaine, on board an aircraft owned by a United States citizen and

registered in the United States, in violation of Sections 812, 959(b), and 960(b)(1)(B) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed:

a. In or about May 2011, DEVIS LEONEL RIVERA MARADIAGA, a/k/a "Leonel Martinez Rivera," a/k/a "Don Leo Cachiro," the defendant, arranged for the transport of a U.S. registered airplane carrying over 150 kilograms of cocaine from Venezuela to Honduras.

b. In or about November 2011, RIVERA arranged for the transport of a U.S. registered airplane carrying approximately 485 kilograms of cocaine from Venezuela to Honduras.

(Title 21, United States Code, Sections 959(c) and 963, and Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, DEVIS LEONEL RIVERA MARADIAGA, a/k/a "Leonel Martinez Rivera," a/k/a "Don Leo Cachiro," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the

offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment.

Substitute Asset Provision


5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant -

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)

  
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FOREPERSON 5/31/2013

  
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PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v -

DEVIS LEONEL RIVERA MARADIAGA,  
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Defendant.

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INDICTMENT

13 Cr.

21 U.S.C. § 963

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PREET BHARARA  
United States Attorney.

  
Foreperson

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5/31/13 Filed indictment under seal  
MB Ellis, USMT